

Report Title	Pendle Local Plan 5 th Edition 2025-2045
Meeting	Executive
Meeting Date	25 June 2026
Report Author	John Halton
Directorate	Place
Lead Executive Member(s)	Cllr Lola Whipp, Planning and Infrastructure Portfolio
Wards Affected	All
Public. Part Exempt, or Fully Exempt	Public
Appendices (if any)	2

1. Executive Summary

- 1.1 This report responds to new legislation and guidance on plan-making published by the Government on 4 March 2026.
- 1.2 This introduces a statutory requirement for Pendle Council to start work on the preparation of a new local plan, supporting the implementation of transitional arrangements of the 2024 National Planning Policy Framework (NPPF), under which the Pendle Local Plan Fourth Edition 2021-2040 was examined.
- 1.3 The report also outlines the key stages and milestones that the Council must meet during the 30-month period allowed for plan preparation.

2. Recommendations

For the reasons set out in this report, Council is recommended to:

- 2.1 Agree to publish a new local plan timetable to formally replace the Local Development Scheme 9th Revision (LDS), which was approved at Executive on 20 March 2025.
- 2.2 Agree to publish, by no later than Tuesday 30 June 2026, a formal 'notice of intention to commence local plan preparation' .
- 2.3 Agree to the formation of a Local Plan Steering Group to retain oversight of the preparation of a new Local plan in accordance with The Town and Country Planning (Local planning) (England) Regulations 2026.

- 2.4 Agree to consult on a scoping report inviting feedback on what the Local plan should contain and how the public and key stakeholders will be encouraged to engage in the plan-making process.
- 2.5 Agree to delegate authority to the Assistant Director: Planning, Building Control and Regulatory Services in consultation with the Portfolio Holder for Planning to:
- (1) Publish the Local plan timetable and submit it to the Ministry of Housing, Communities and Local Government (MHCLG) by no later than 30 June 2026.
 - (2) Agree that subsequent updates to the Local plan timetable can be made as required.
 - (3) Agree the content and timing of the statutory consultation on the Scoping Report, which must be concluded prior to publication of the statutory Gateway 1 self-assessment on or before 31 October 2026.
 - (4) Approve, publish and submit the documents required to conduct the for statutory Gateway 1 and Gateway 2 assessments.

3. Information: the Rationale & Evidence for the Recommendations

Background

- 3.1 Reforms to the plan-making system were introduced in the Levelling Up and Regeneration Act 2023 (LURA) and are being implemented through The Town and Country Planning (Local Planning) (England) Regulations 2026, which came into effect on 25 March 2026.
- 3.2 The reforms introduce substantial changes to the preparation of local plans, requiring local planning authorities to prepare new local plans within a 30-month timeframe.
- 3.3 The recently adopted Pendle Local Plan Fourth Edition, forms part of the statutory development plan for the borough and is the starting point for the determination of submitted planning applications. The Local Plan Fourth Edition was examined in the context of transitional arrangements of the NPPF. This outlines that where an adopted local plan meets less than 80% of local housing need (the government's updated standard method), the local planning authority will be expected to begin work on a new plan, under the revised plan-making system provided for under LURA (as soon as the relevant provisions are brought into force), in order to address the shortfall in housing need (see NPPF, Paragraph 236). The adopted housing requirement meets 44% of the revised standard method figure for Pendle which sets a baseline figure of 334 dwellings per annum.
- 3.4 The Town and Country Planning (Local Planning) (England) Regulations 2026 (the Regulations), implements those reforms made by LURA and came into effect on 25 March 2026. The Regulations compel Pendle to commence plan-making in accordance with the new plan-making system reflecting Paragraph 236 of the NPPF.

Getting Ready

- 3.5 The Council is one of 39 local planning authorities required by Regulation 91, and paragraph 3 of the Schedule to these Regulations, to publish a 'notice of intention to commence local plan preparation' by 30 June 2026 (the Notice) and to publish a 'Gateway 1 self-assessment' by 31 October 2026. This represents the initial stages of preparing a new Local Plan under the reformed plan making system. The Government will expect the new Local Plan to respond to the updated Standard Method for Pendle (334 dwellings per annum).
- 3.6 The new Local Plan making process is extremely prescriptive. Councils will have to publish real time data at every stage of the process and it is anticipated that there will be automated scrutiny of the progress of all Local Plans Council's will be preparing nationally.
- 3.7 Publication of the Notice will start a 4-month period within which initial baseline data and evidence will be collated to inform the scope and vision of the new Local Plan. As part of this process, a scoping consultation will be undertaken. The consultation will seek feedback from the local community and key stakeholders on what the local plan should contain and how and when formal engagement and public consultation should be carried out. A call for sites consultation will also be undertaken enabling the submission of new land for consideration as development locations through the new local plan in addition to those existing sites already contained within the Council's Strategic Housing Land Availability Assessment (SHLAA).

Following the conclusion of this consultation, and by no later than 31 October 2026, the Council is required by the Regulations to publish its Gateway 1 Self-Assessment. This document examines whether the Council is ready to prepare a local plan within the regulated 30-month period. Should this report conclude that a new local plan can be prepared, the Council shall have 'passed through Gateway 1' and the 30-month plan preparation period will start. If it is not ready the Council will need to commence the process again by reconsulting on the scope of the Plan and going to Gateway 1.

Local Plan Timetable and the 30-month Plan- Making Process

- 3.8 The Regulations set out that once Gateway 1 is complete, the mandated 30-month plan preparation period commences. This includes a 6-month examination period.
- 3.9 The process includes two formal rounds of public consultation:
- the first consultation (a minimum 6-week period) on proposed Plan content and evidence, including the draft vision and proposed spatial strategy.

- the second consultation (a minimum 8-week period) on the draft plan would include the proposed policies of the plan and sites identified to meet development needs.
- 3.10 Additional consultations may be arranged but must take place within the mandated 30-month plan preparation period.
- 3.11 Guidance places emphasis on the role of digital tools to assist with consultation processes and encourage broader feedback and increased public engagement. The Local Plan Public Engagement Strategy, published alongside the scoping consultation, will detail proposals for public engagement through the plan making process. Pendle is not yet digitally enabled to carry this out so one of the challenges will be to become more digitally enabled. Many of the digital tools Councils were informed would be made available to do this have not yet materialised.
- 3.12 A summary of the comments made during each consultation, and the Council's response, must be published before the next stage in the plan making process takes place.
- 3.13 The new Local Plan must pass through two formal rounds of external scrutiny (Gateway 2 and 3) before it can be submitted for examination. The Council must pass through Gateway 2 before the second 8-week consultation on the draft local plan can take place. The Planning Inspectorate will be involved in this Gateway assessment. This consultation must have concluded before the Council seeks to pass through Gateway 3. The purpose of this external scrutiny is to ensure that the correct process has been followed, and the plan is capable of being found sound in accordance with national planning policy. This should increase the proportion of plans which are found sound at examination and reduce the time taken to complete this process.
- 3.14 Once the new Local Plan has passed through Gateway 3, the Council will submit it and any supporting documents, including evidence and consultation responses, to the Secretary of State for its examination in public. This process is similar to that carried out for the Pendle Local Plan Fourth Edition and will conclude with the receipt of the appointed Inspector's Report. This period is extendable by 6-months should further work and/or main modifications be required. Adoption of the local plan would then be considered by full Council.
- 3.15 To ensure that the process remains transparent and parties interested in plan making are kept informed, and plan making remains on track in alignment to the 30-month system, the Council must prepare and maintain a local plan timetable. The form, content, revision and publication of the timetable is set out in Part 2 of The Town and Country Planning (Local Planning) (England) Regulations 2026 (Regulations 4, 6 and 8). The timetable sets out the anticipated dates for each consultation period (including the scoping consultation), Gateway 1, 2 and 3, the examination in public, and adoption.
- 3.16 The local plan timetable will supersede the ninth revision of the Local Development Scheme (LDS), which was approved at Executive on 20 March 2025. The timetable must first be published no later than 30 June 2026 and no later than the Notice. The local plan timetable must be updated on a

monthly basis as a minimum. Delegated authority is sought in order to make this feasible.

Issues to be Considered in the Plan Making Process

- 3.17 Reforms to the plan making system have been on the cards for some time , having been introduced in principle through the 2023 LURA. The introduction of succinct and streamlined local plans has been seen by successive governments as playing an important role in securing up-to-date local plan coverage across England and supporting increased housing delivery. Unfortunately what is appearing is a time driven system but not one that is streamlined to enable that. In fact the analysis of the evidence requirement is that it has grown and not shrunk so will add to the complexity of developing a Local Plan.
- 3.18 Preparing a new Local Plan represents a significant challenge especially within the short period allowed by the Regulations. There are resource and budgetary challenges due to the substantial increase in housing need which will need to be accommodated through the plan and associated evidence requirements. Analysis of the evidence base shows that the evidence burden has increased with the proportionate evidence base that was indicated would come along with the new system not materialising. The position seems on face value to be the opposite with a larger and wider evidence base required. This is based on the draft NPPF that was consulted on earlier this year but which has not yet been finalised.
- 3.19 The development of greenfield land will be a necessity if the identified housing need is to be met in full. Allocated sites must be available, suitable and achievable and will be subject to detailed scrutiny at examination. There are infrastructure, viability, and environmental concerns which need to be assessed and understood, and which may influence the amount, strategy, and location of development identified in the new Local Plan.
- 3.20 Local plan making reforms have been introduced at the same time as broader structural changes, which affect, not only the way in which local plans are prepared, but also, reasonably, the value and role that a new Local Plan for Pendle might have in shaping the future growth of the area post adoption. The Council wrote to the Secretary of State on 16 March 2026 to highlight these concerns setting out:
- It will not be possible for Pendle Council to adopt a new Local plan under the new system before 1 April 2028 (i.e. the ‘vesting day’ for the new unitary authorities created by Local Government Reorganisation (LGR)).
 - The decision to submit the new Local plan for independent examination will be taken by the new unitary authority, as Pendle Council will no longer exist.

- In view of the above, it would appear to make sense to delay plan-making until the outcome of LGR in Lancashire is known. A delay of approximately six months would allow for joint working between authorities ahead of vesting day and significantly reduce the level of expenditure on the evidence base.
- The absence of government regulations and guidance, together with the introduction of measures to facilitate the digitisation of the plan-making process, represent a significant challenge given the requirements of LGR.
- An updated National Planning Policy Framework (NPPF) is not due to be published before June 2026. This document will have a strong influence on the scope and content of the new Local plan.
- The need for the local plan to be in general conformity with the Spatial Development Strategy (SDS), which is to be prepared by the Lancashire Combined County Authority (LCCA).
- Sustainability Appraisal, which underpins the current plan-making process is a significant expense and due to be replaced by Environmental Output Reports (EOR), but the legislation is not yet in place.

3.21 The response from Government was an inflexible one informing the Council that:

- The government is committed to a plan-led system
- “It is essential that council’s continue to deliver their business-as-usual services and duties” until reorganisation is complete.
- The government is “analysing feedback” to the consultation on the draft NPPF and will publish its response in due course.
- The government is committed to bringing forward EORs in a way that causes the least disruption to plan-making.

3.22 To summarise the Government’s message was that notwithstanding the sensible approach being to prepare a joint plan aligning evidence bases with other Councils that will form part of the Unitary Council Pendle will be a part of, to wait for the National Policy on which the Plan would be based to be published, to align with Sustainable Development Strategies and to not waste money on a Sustainability Appraisal Process that will change part way through the development of the Local Plan that Local Plans should start regardless of any other factors. This is not a sensible way of approaching Plan making but Pendle, alongside other Councils is obliged to commence a new Plan. A notice of intention to commence local plan preparation by 30 June 2026 has to be made and the Council must publish a Gateway 1 self-assessment by 31 October 2026 regardless of the broader context.

The consequence of commencing work on a new local plan for Pendle is that significant staff and financial resources will need to be directed towards preparing a document that will almost certainly have a short lifespan, as it will relate to a place that no longer exists by the time it is adopted.

3.23 Hyndburn and Rossendale Councils are both on a similar plan-making timeline and are also required to reach Gateway 1 by 31 October 2026.

4. Link to Council Plan Priorities: (Providing High Quality Services and Facilities, Proud and Connected Communities and Places, Good Growth and Housing and Healthy Communities)

4.1 The Local Plan links to all of the Council's priorities. It would set the platform for providing the services and facilities that are needed throughout the Borough by providing the policy base for those to be delivered.

4.2 The Local Plan sets standards for delivery of infrastructure and to protect the countryside and open spaces.

4.3 Critically it would set out how to deliver the quantum of development that is needed to provide new employment sites and the level of housing that would be needed to support population and economic growth. That set against an agenda to develop in as sustainable a way as feasible.

5. Implications

5.1 Financial Implications

There are significant costs associated with preparing a local plan. These include the procurement of evidence base studies, legal support, investment in digital planning tools, public consultation and engagement, and the cost of the independent examination. Costs are spread over three financial years.

The full costs of the Local Plan will be set out at a later stage of its development when the scope of what is needed becomes clearer. The purpose of the time period to Gateway 1 is to allow consultation on the scope of the Plan with developers and the community which will allow firming up of the required budget.

5.2 Legal and Governance Implications

The delegation of updates to the local plan timetable may require a change to the Council's constitution in due course.

5.3 Climate and Biodiversity Implications

The Local Plan will set the framework for delivering growth as well as measures to improve biodiversity and to help climate change.

5.4 Human Resources Implications

None known but the matter will need to be taken under review when the full scope of the Plan content is known.

5.5 Equality and Diversity Implications

The Local Plan will positively help all sections of the community.

6. Consultation

- 6.1 The Council has adopted a Statement of Community Involvement which sets out how people will be consulted on the preparation of a Local Plan. This will be the basis for the current consultation with a Public Engagement Strategy being consulted on which will replace it.

7. Alternative Options Considered

- Not preparing a new Local Plan within the prescribed timescales.
- Preparing a joint local plan with neighbouring local planning authorities in Lancashire. This is the sensible option set against the issues outlined at 3.20 of this report. It would also be the most cost effective and deliver the best Plan for the people in the new Unitary Council.

8. Statutory Officer Sign off (please put an x in the relevant box below)

Section 151 Officer	x
Monitoring Officer	x

9. Background Documents

- The Town and Country Planning (Local planning) (England) Regulations 2026
- Consultation Draft National Planning Policy Framework (December 2025)
- Create or update a local plan using the new system

10. Appendices

- Notice of intention to commence local plan preparation
- Local plan timetable

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